

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PAUL EDWARD GABLER, II,)	
)	
Petitioner,)	
)	
vs.)	NO. CIV-23-1085-HE
)	
UNITED STATES OF AMERICA, et al.,)	
)	
Respondents.)	

ORDER

Petitioner Paul Edward Gabler, II, appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Pursuant to 28 U.S.C. § 636(b)(1)(B),(C), the matter was referred to Magistrate Judge Amanda Maxfield Green for initial proceedings. On May 6, 2024, Judge Green issued a Report and Recommendation recommending the court dismiss petitioner’s petition for writ of habeas corpus with prejudice as time-barred under the Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”). Petitioner was advised of his right to object to the Report and Recommendation, and he has filed a timely objection.

Petitioner objects to the entire Report and Recommendation and asserts his petition is not in error but is based on exculpatory evidence. In his objection, however, petitioner does not address whether his petition is time-barred under the AEDPA. Having reviewed the petition for writ of habeas corpus, the Report and Recommendation, and petitioner’s objections, the court concludes petitioner’s petition is time-barred and should be dismissed with prejudice.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. #9] and **DISMISSES** the petition for writ of habeas corpus with prejudice.

IT IS SO ORDERED.

Dated this 4th day of June, 2024.



JOE HEATON
UNITED STATES DISTRICT JUDGE